

House File 2062 - Introduced

HOUSE FILE _____
BY STAED

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act restricting the presence of a registered sex offender on
2 the real property comprising a school or child care facility,
3 making an appropriation, and providing a penalty.
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
5 TLSB 5722YH 82
6 jm/rj/5

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1 1 Section 1. NEW SECTION. 692A.3B PRESENCE ON THE REAL
1 2 PROPERTY COMPRISING A SCHOOL OR CHILD CARE FACILITY ==
1 3 RESTRICTION.
1 4 1. A person required to register under this chapter who
1 5 has been convicted of a criminal offense against a minor, or
1 6 an offense involving a minor that is an aggravated offense,
1 7 sexually violent offense, or other relevant offense, shall not
1 8 be knowingly present on the real property comprising a public
1 9 or nonpublic elementary or secondary school or child care
1 10 facility, unless subsection 2 applies or any of the following
1 11 apply:
1 12 a. The person is transporting a minor who is a child of
1 13 the person to or from the school or child care facility.
1 14 b. The person is attending a parent=teacher conference
1 15 regarding a minor who is a child of the person.
1 16 c. The person has been summoned to discuss the academic or
1 17 social progress of a minor who is a child of the person.
1 18 d. The person is voting at the school or child care
1 19 facility during the hours designated to vote.
1 20 2. If the person intends to be present for any other
1 21 reason not enumerated in subsection 1, the person shall first
1 22 notify the administrative offices of the public or nonpublic
1 23 elementary or secondary school or child care facility that the
1 24 person intends to be present on the real property comprising
1 25 the school or child care facility, and the person shall
1 26 receive written permission from the school or child care
1 27 facility prior to entering onto the real property comprising
1 28 the school or child care facility.
1 29 3. A person who commits a violation of this section
1 30 commits an aggravated misdemeanor.
1 31 Sec. 2. DEPARTMENT OF PUBLIC SAFETY. There is
1 32 appropriated from the general fund of the state to the
1 33 department of public safety for the fiscal year beginning July
1 34 1, 2008, and ending June 30, 2009, the following amount, or so
1 35 much thereof as is necessary, to be used for the purpose
2 1 designated:
2 2 For a sex offender compliance grant program:
2 3 \$ 2,000,000
2 4 The moneys appropriated in this subsection shall be used by
2 5 local law enforcement agencies to determine whether sex
2 6 offenders are complying with registration requirements, and
2 7 residency and other restrictions imposed under chapter 692A.
2 8 A local law enforcement agency may apply to the department for
2 9 a grant to cover additional law enforcement measures
2 10 undertaken to determine sex offender compliance with chapter
2 11 692A in the agency's community.
2 12 EXPLANATION
2 13 This bill restricts the presence of a registered sex
2 14 offender on or near the real property comprising a school or
2 15 child care facility.
2 16 The bill provides that a registered sex offender who has
2 17 been convicted of a criminal offense against a minor, or an
2 18 offense involving a minor that is an aggravated offense,
2 19 sexually violent offense, or other relevant offense, shall not

2 20 be present on the real property comprising a public or
2 21 nonpublic elementary or secondary school or child care
2 22 facility. However, the bill provides exceptions: (1) a sex
2 23 offender may be present on school or child care facility
2 24 property if the sex offender is transporting the offender's
2 25 child to or from school or a child care facility, the offender
2 26 is attending a parent=teacher conference, the sex offender is
2 27 summoned to discuss the academic or social progress of the
2 28 offender's child, or the sex offender is voting in an election
2 29 during the designated hours to vote; (2) if a sex offender is
2 30 to be present on the real property of a school or child care
2 31 facility for any other reason, the sex offender must first
2 32 receive written permission from the administration of the
2 33 school or child care facility prior to entering onto the
2 34 property.

2 35 A person who violates the bill commits an aggravated
3 1 misdemeanor. An aggravated misdemeanor is punishable by
3 2 confinement for no more than two years and a fine of at least
3 3 \$625 but not more than \$6,250.

3 4 The bill makes an appropriation to the department of public
3 5 safety to establish a sex offender compliance grant program.
3 6 The moneys appropriated under the bill shall be used by local
3 7 law enforcement agencies to determine whether sex offenders
3 8 are complying with registration requirements, and residency
3 9 and other restrictions imposed under Code chapter 692A.

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